

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q88294

Hiroshi TSUCHITA, et al.

Appln. No.: 10/537,401

Group Art Unit: 1656

Confirmation No.: 1465

Examiner: Marsha M. TSAY

Filed: November 21, 2005

For: SUSTAINED IMPROVER OF MUSCULAR FATIGUE

**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final Office Action dated July 20, 2007. As January 20, 2008 is Sunday and January 21, 2008 is a Federal holiday, the instant Notice of Appeal is timely filed on January 22, 2008.

The statutory fee of \$510.00 is being charged to Deposit Account No. 19-4880 via EFS Payment Screen. The USPTO is also directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,  
/Sunhee Lee/

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

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Sunhee Lee  
Registration No. 53,892

WASHINGTON DC SUGHRUE/265550

**65565**  
CUSTOMER NUMBER

Date: January 22, 2008